IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 1023 OF 2005
IN
NOTICE OF MOTION NO. 318 OF 2004
IN
SUIT NO. 301 OF 2004

1. Deven Madhusudhan Doshi & 4 ors.] .. Appellants (Ori.Defendants)

Versus

1. Amrut Dhara Enterprise & 2 ors.] .. Respondents (Ori.Plaintiffs)

Mr. T.N. Subramanian with Mr. Kapil Moye i/b M/s. Shah & Sanghvi for the appellants.

Mr. D.H. Mehta with Mr. N.M. Shah for the respondents.

CORAM: R.M. LODHA, &
S.A. BOBDE, JJ.

DATED: 14TH DECEMBER, 2006

P.C. :

. After arguing the Appeal for some time, the senior counsel and the counsel for the parties agreed for the disposal of the Appeal by the following order:

(i) Notice of Motion No.318 of 2004 is restored to the file of the learned Motion Judge.

(ii) The order dated 25th August, 2005,

impugned in the present Appeal shall be treated as an ad-interim order to remain operative until disposal of the Notice of Motion only.

(iii) The defendants are given an opportunity to file reply to the Notice of Motion along with all relevant documents within four weeks from today.

(iv) The Notice of Motion shall be heard afresh by the learned Motion Judge after taking into consideration the reply by the defendants and rejoinder, if any, by the plaintiffs.

(v) We request the learned Motion Judge to hear and decide the Notice of Motion expeditiously.

. No costs.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.A. BOBDE, J.]